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March 17, 2008

BY FAX (212- 805-6382)
Honorable Judge Victor Marrero
U.S. District Judge
United States Courthouse
500 Pearl Street, Suite 660
New York, New York 10007

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 3-19-08
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Re: Hummel v. AstraZeneca LP, 07 Civ. 5473 (VM)

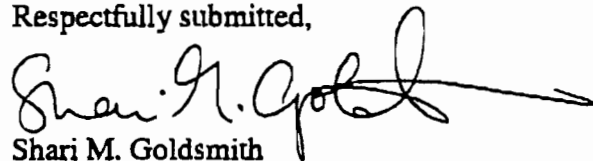
Dear Judge Marrero:

In response to the Court's February 20, 2008 Order that the above-referenced action is eligible for mediation, Plaintiff Holly Marie Hummel ("Plaintiff") and Defendant AstraZeneca LP ("Defendant") (collectively "Parties") hereby respectfully submit this Joint Letter requesting this case be removed from the Court's mediation calendar. The Court's mediation office has indicated that this matter is preliminarily scheduled, pending assignment of a mediator, for mediation on March 25, 2008. The Parties submit that mediation at this early stage in the proceedings would be futile, as it would not result in productive settlement discussions or lead to any final settlement of this action.


This case is a putative state-wide class action in which the parties have not even briefed, much less received a ruling on, the issue of class certification. In addition, the Court, as part of the Civil Case Management Plan and Scheduling Order, dated October 19, 2007, already ordered the Parties to conduct settlement discussions by May 16, 2008.

For the reasons set forth above, the Parties respectfully request that the current mediation date preliminarily set as March 25, 2008, be adjourned until after the Court's ruling on the forthcoming class certification motion, which must be filed by May 30, 2008.

Respectfully submitted,


Shari M. Goldsmith

cc: Matthew W. Lampe, Esq.
Eric Kingsley, Esq.
Ira Spiro, Esq.
Charles Joseph, Esq.

<u>REQUEST GRANTED. The Clerk of Court is directed to remove this action from the Court's mediation calendar</u>	
SO ORDERED: 3-19-08	
DATE	VICTOR MARRERO, U.S.D.J.